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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,281	01/25/2005	Gerardus Wilhelmus Van Der Heijden	NL 020691	1500

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EXAMINER	
KHAN, ASHER R	
ART UNIT	PAPER NUMBER
2621	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/522,281	VAN DER HEIJDEN ET AL.	
	Examiner	Art Unit	
	ASHER KHAN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/29/2008 have been fully considered but they are not persuasive.

In re page 6 to page 9, Applicants argue that cited references fail to disclose "prompting the user on the user interface to select how many B and P- frames are inserted during a trickplay mode".

In response the examiner respectfully disagrees. Primary reference of Boyle had been used to disclose as mentioned in claim 1 below to show a Graphical User Interface that can be used to prompt a user for a trickplay option (Col. 12, lines 19-27). While Lin has been used to disclose the remaining limitations that were not disclosed in Boyle. Thus Lin was used for selection of how many B and P frames inserted during a trickplay mode (Fig. 3 step 330 selecting which pictures to be deleted either I , P or B causes certain amount of B or P to be inserted in trickplay to be displayed(0045-0047) or Fig. 4 step 415 selecting or determining which pictures to be repeated either I, P or B causes certain amount of pictures to be inserted in trickplay to be displayed (0051). Thus allowing a system to prompt these values to be determined by a user and input on a GUI would be obvious to one with ordinary skill in the art. Therefore it would be obvious to one with ordinary skill in the art to combine teaching of Boyle and Lin.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1-3, 6-7, 9 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin et al. "Lin"

As to claims 1 and 11, Boyle disclose a method for providing user controlled implementation of trick play modes of operation of digital video data, comprising the steps of :

providing a user interface on a display device for prompting a user (Col. 12, lines 19-27);

Boyle does not expressly disclose steps of:

prompting the user to select a speed at which the trick play mode will operate; and

prompting the user to select how the selected speed is implemented;

wherein the digital video data is compressed according to the MPEG standard, and where in the method further comprising to select how many B and P frames are inserted during the trick play mode.

Lin discloses steps of:

prompting the user to select a speed at which the trick play mode will operate (0012-0015); and

prompting the user to select how the selected speed is implemented (0012-0015)(0018).

wherein the digital video data is compressed according to the MPEG standard (0049, MPEG decoder), and where in the method further comprising the step to select how many B and P frames are inserted during the trick play mode (Figs. 3 and 4; 0049-0053; Fig. 4 step 415 and Fig. 3, 330 selecting or determining which B and P pictures should be repeated or eliminated i.e. how many B and P frames should be inserted, 0021, 0045-0047;0051;Claim 1;0005).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Motivation to combine would have been to a of prompting the user on the user interface such as a graphical user interface to select how many times frames should be inserted so a desired user trick play can be implemented. Thus allowing a user friendly system that is interactive.

As to claim 2, Boyle and Lin as modified discloses everything claimed as applied in claim 1 above. In addition Lin further discloses wherein the trick play mode is a fast forward operation (Figs. 3 and 4;Abstract;0005;0030;0034).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Motivation to combine would have been to allow trick play so that bandwidth could be saved.

As to claim 3, Boyle and Lin as modified discloses everything claimed as applied in claim 1 above. Lin further discloses wherein the trick play mode is a fast rewind operation (Figs. 3 and 4;Abstract;0005;0030;0034).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Motivation to combine would have been to allow trick play so that bandwidth could be saved.

As to claim 6, Boyle and Lin as modified discloses everything claimed as applied in claim 1 above. Lin discloses further comprising the step of storing the selected implementation for later recall (0044).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Motivation to combine would have been to allow save users time.

As to claim 9, Boyle and Lin as modified discloses everything claimed as applied in claim 1 above. Lin further discloses further comprising the step of creating a video stream for display based on the selected criteria (Fig. 3;0044).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Motivation to combine would have been to provide a video in a user desired trickplay mode.

As to claim 10, Boyle further discloses wherein a list of possible implementations are displayed on the user interface for the user to select from (Col. 12, lines 19-32).

3. Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin et al. "Lin" in view of U.S. Patent No. 4,046,916 B1 to Morris et al.

"Morris" and in further view of U.S. Patent Pub. 2002/0018646 A1 to Nishi et al "Nishi"

As to claim 4, Boyle and Lin as modified discloses everything claimed as applied in claim 1 above. Boyle and Lin as modified do not expressly disclose wherein the step of selecting how the selected speed is implemented comprises the steps of:

selecting how many successive I-flames are skipped after a displayed I-frame; and

selecting how long each displayed I-frame is displayed.

Morris discloses wherein the step of selecting how the selected speed is implemented comprises the steps of :

selecting how many successive I-flames are skipped after a displayed I-frame (Col. 4, lines 66-67; Col 5, lines 1- 9);

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin as modified with the teachings of Morris. Motivation to combine would have been to allow a user to control skipping of a movie from one part to another part of a movie in a precise way.

Nishi discloses the step of:

selecting how long each displayed I-frame is displayed (0053).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin and Morris as modified with the teachings of Nishi. Motivation to combine would have been to allow a user to control reproduction of each frame to save time for the user.

As to claim 5, Boyle and Lin as modified disclose everything claimed as applied in claim 1 above. In addition Lin discloses wherein the step of selecting how the selected speed is implemented comprises the step of selecting: a speed at which the digital video data is displayed (0012-0015) but Boyle and Lin as modified do not expressly disclose the step of a time period how long a frame is displayed and the step of computing how many frames are skipped after displaying one

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin. Motivation to combine would have to provide a user selectable speed for trickplay operations.

Nishi discloses a time period how long a frame is displayed (Fig. 4; 0053).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin as modified with the teaching of Nishi. Motivation to combine would have been a user selectable time period for which a frame could be displayed. So that an operation is not automatic thereby giving a user more control.

Morris discloses the method further comprises the step of computing how many frames are skipped after displaying one (Col. 4, lines 66-67; Col 5, lines 1- 9).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle, Lin and Nishi as modified with the teaching of Morris. Motivation to combine would have been making the system user controllable rather then being automatic.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin

et al. "Lin" and in further view of U.S. Patent Pub. 2002/0018646 A1 to Nishi et al "Nishi"

As to claim 8, Boyle and Lin as modified disclose everything claimed as applied in claim 1 above. In addition Lin discloses selecting how many times each I-frame is displayed (Fig. 4, step 415; 0048-0053). But Boyle and Lin as modified do not expressly disclose wherein the step of selecting how the selected speed is implemented comprises the step of selecting how long each I-frame is displayed.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin. Motivation to combine allowing a user to determine the length of time a frame is to be displayed so that user can decide how long to display a frame thereby making a system user friendly.

Nishi discloses wherein the step of selecting how the selected speed is implemented comprises the step of:

selecting how long each I-frame is displayed (0053).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle and Lin as modified with the teaching of Nishi. Motivation to combine would have been a user selectable time period for which a frame could be displayed. So that an operation is not automatic thereby giving a user more control.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks- Harold can be reached on (571)272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/A. K./
Examiner, Art Unit 2621